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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/887,198	06/22/2001	Matthew A. Guido	N0093US	7255

37583 7590 11/15/2005

NAVIGATION TECHNOLOGIES
222 MERCHANDISE MART
SUITE 900, PATENT DEPT.
CHICAGO, IL 60654

EXAMINER	
LU, KUEN S	

ART UNIT	PAPER NUMBER
2167	

DATE MAILED: 11/15/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/887,198	GUIDO ET AL.	
	Examiner	Art Unit	
	Kuen S. Lu	2167	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *01 September 2005*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-17 and 28* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-17 and 28* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on July 1, 2005 has been entered.

Response to Amendments

2. The Action is responsive to the Applicant's Amendments, filed on July 1, 2005.

3. As for the Applicant's Remarks on claim rejections, filed on July 1, 2005, has been fully considered by the Examiner, please see discussion in the section ***Response to Arguments***, following the Office Action for non-Final Rejection as shown next. The claims 1-17 and 28 are pending.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to

consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

5. Claims 1, 4-7, 9-13, 15-16 and 28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Rieger, III (U.S. Patent 6,654,800, hereafter "Rieger") in view of Kozak (U.S. Patent 6,415,226).

As per claim 1, Rieger teaches "defining advertising zones within the geographic region" (See Fig. 2, col. 3, lines 16-17, col. 4, lines 11-17 and col. 6, lines 58-61 wherein Rieger's defining a neighborhood as a geographical region on geographical maps for posting message and advertisement is equivalent to Applicant's defining advertising zones within the geographic region).

Rieger does not explicitly teach "providing geographical database that contains road segment, said road segment data represents a road segment located in a geographic region".

However, Kozak teaches "providing geographical database that contains road segment, said road segment data represents a road segment located in a geographic region" (See Fig. 5 and col. 8, lines 41-48 and 55-59 wherein Kozak's map database includes data about roads and road segments in a geographic region is equivalent to the Applicant's providing geographical database that contains road segment, said road segment data represents a road segment located in a geographic region).

It would have been obvious to one having ordinary skill in the art at the time of the applicant's invention was made to combine Kozak's teaching into Rieger reference by including road or its segment data in the geographical region for advertising road safety

data to vehicles because both references are devoted to providing geographical regions with information and the combined teaching of the references would have enhanced vehicle safety due to more specific road segment data is provided in association with a better defined geographical region such that the road segment information provided is more closely related to the route a vehicle is traveling (Please refer to BACKGROUND OF THE INVENTION sections of the two references).

The combined teaching of the Rieger and Kozak references does not explicitly teach "said road segment data comprising data that indicates in which of said advertising zones that the road segment is located".

However, Kozak teaches the road segment data may include or associate other data that include or refer to various attributes representing the segment at col. 9, lines 54-60.

It would have been obvious to one having ordinary skill in the art at the time of the applicant's invention was made to further combine Kozak's teaching into Rieger reference by associating advertising data specifically to road segment level because the geographical region is closely outlined and the combination of teaching would have enabled the advertiser to post advertisement to specific regions, for example, a few city blocks and a particular section of a highway (See Rieger: col. 2, lines 34-38 and col. 3, lines 16-22).

As per claim 4, the combined teaching of the Rieger and Kozak references further teaches "associating advertising messages with at least some of said advertising zones" (See Rieger: col. 3, lines 34-38 and col. 3, lines 16-17 where geographical region is

defined in a system for advertisement, and associating information with the region is equivalent to Applicant's associating advertising messages with at least some of said advertising zones).

As per claim 5, the combined teaching of the Rieger and Kozak references further teaches "storing advertisement message in an advertising database" (See Rieger: col. 3, lines 16-17 and col. 4, lines 6-10 where posting database storing information for posting and advertising is equivalent to Applicant's advertising information).

As per claim 6, the combined teaching of the Rieger and Kozak references further teaches "advertising zones are formed dynamically" (See Rieger: col. 6, lines 58-61 and col. 4, lines 11-16 where user outlines a neighborhood for creating the geographical region and posting messages is equivalent to Applicant's advertising zones are formed dynamically).

As per claims 7 and 13, Rieger teaches "defining a plurality of advertising areas located within a geographic region" (See col. 3, lines 47-52, col. 6, lines 58-61 and col. Col. 4, lines 11-16 wherein Rieger's a plurality of users connect to the system to outline neighbors and create geographical regions for posting and advertising is equivalent to Applicant's defining a plurality of advertising areas located within a geographic region).

Rieger does not explicitly teach "providing geographical database that contains road segment, said road segment data represents a road segment located in a geographic

region".

However, Kozak teaches "providing geographical database that contains road segment, said road segment data represents a road segment located in a geographic region" (See Fig. 5 and col. 8, lines 41-48 and 55-59 wherein Kozak's map database includes data about roads and road segments in a geographic region is equivalent to the Applicant's providing geographical database that contains road segment, said road segment data represents a road segment located in a geographic region).

It would have been obvious to one having ordinary skill in the art at the time of the applicant's invention was made to combine Kozak's teaching into Rieger reference by including road or its segment data in the geographical region for advertising road safety data to vehicles because both references are devoted to providing geographical regions information and the combined teaching of the references would have enhanced vehicle safety due to more specific road segment data is provided in association with a better defined geographical region such that the road segment information provided is more closely related to the route a vehicle is traveling (Please refer to BACKGROUND OF THE INVENTION sections of the two references).

The combined teaching of the Rieger and Kozak references does not explicitly teach the geographic database contains "advertising area data that indicates in which of said the road segments are located in said advertising areas".

However, Kozak teaches the road segment data may include or associate other data that include or refer to various attributes representing the segment at col. 9, lines 54-60.

It would have been obvious to one having ordinary skill in the art at the time of the applicant's invention was made to further combine Kozak's teaching into Rieger reference by associating advertising area data specifically to road segment level in the geographic database because the geographical region is closely outlined and the combination of teaching would have enabled the advertiser to post advertisement to specific regions, for example, a few city blocks and a particular section of a highway (See Rieger: col. 2, lines 34-38 and col. 3, lines 16-22).

As per claim 9, the combined teaching of the Rieger and Kozak references further teaches "advertising zones are based on accessibility" (See Rieger: col. 3, lines 16-17 and 21-22 where mobile users passing through the geographic region for advertising would automatically receive the information suggests the teaching of advertising zones are based on accessibility).

As per claim 10, the combined teaching of the Rieger and Kozak references further teaches "advertising zones are based driving distances from defined locations" (See Rieger: Fig. 4, col. 3, lines 21-22 and the abstract where passing by mobile users identifies a point or region of interest and user account latitude and longitude information suggests the teaching of advertising zones are based driving distances from defined locations).

As per claim 11, the combined teaching of the Rieger and Kozak references further teaches "advertising zones are based driving times from defined locations" (See Rieger: Fig. 4, col. 3, lines 21-22 and the abstract where passing by mobile users identifies a point or region of interest and user account latitude and longitude information, and Kozak: col. 8, lines 48-55 where driving time along road segment is calculated and included in the database suggests a teaching of advertising zones are based driving times from defined locations).

As per claim 12, the combined teaching of the Rieger and Kozak references further teaches "advertising zones are formed dynamically" (See Rieger: col. 6, lines 58-61 and col. 4, lines 11-16 where user outlines a neighborhood for creating the geographical region and posting messages is equivalent to Applicant's advertising zones are formed dynamically).

As per claim 15, the combined teaching of the Rieger and Kozak references further teaches "geographic database is installed in a standalone navigation system" (See Kozak: col. 13, lines 60-63 where road identification function is installed as a standalone application in a navigation system suggests the teaching of geographic database is installed in a standalone navigation system).

As per claim 16, the combined teaching of the Rieger and Kozak references further teaches "geographic database is installed on a navigation services server from which

end users' computing platforms obtain geographically-related services" (See Rieger: col. 3, lines 48-53 where users connect to the system by web browsing and served by server suggests the teaching of geographic database is installed on a navigation services server from which end users' computing platforms obtain geographically-related services).

As per claim 28, Rieger teaches "a geographic region" (See col. 4, lines 12-16 where a neighborhood is outlined and created as a geographic region).

Rieger does not explicitly teach "determining a position of a mobile computing platform as the mobile computing platform travels" in a geographic region.

However, Kozak teaches "determining a position of a mobile computing platform as the mobile computing platform travels in a geographic region" (See col. 5, lines 50-52 where mobile user may indicate starting location or the current position as the starting location is equivalent to the Applicant's determining a position of a mobile computing platform as the mobile computing platform travels in a geographic region).

It would have been obvious to one having ordinary skill in the art at the time of the applicant's invention was made to combine Kozak's teaching into Rieger reference by including road or its segment data in the geographical region for advertising road safety data to vehicles because both references are devoted to providing geographical regions information and the combined teaching of the references would have enhanced vehicle safety due to more specific road segment data is provided in association with a better defined geographical region such that the road segment information provided is more

closely related to the route a vehicle is traveling (Please refer to BACKGROUND OF THE INVENTION sections of the two references).

The combined teaching of the Kozak and Rieger references further teaches the following:

"dynamically forming new advertising zone associated with the position of the mobile computing platform, wherein said new advertising zone not being defined prior to said forming step" (See Rieger: col. 6, lines 58-61 and col. 4, lines 11-16 where user outlines a neighborhood for creating the geographical region and posting messages is equivalent to Applicant's dynamically forming new advertising zone associated with the position of the mobile computing platform, wherein said new advertising zone not being defined prior to said forming step); and

"providing the user with a advertising message associated with said advertising zone" (See Rieger: col. 6, lines 62-67 where new message which is not yet seen by the user is created and posted is equivalent to Applicant's providing the user with a advertising message associated with said advertising zone).

6. Claims 2-3, 8, 14 and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Rieger, III (U.S. Patent 6,654,800, hereafter "Rieger") in view of Kozak (U.S. Patent 6,415,226) as applied to claims 1, 7 and 13 above, and further in view of Taschereau (U.S. Publication 2004/0076279).

As per claim 2, the combined teaching of Rieger and Kozak references teaches "advertising zone" as previously described in claim 1 rejection.

The combined teaching of Rieger and Kozak references does not specifically teach "defining a hierarchy of said advertising zones, wherein said hierarchy of advertising zones includes at least a first layer and a second layer by defining location layers with greater detail at the lower layers and less detail at the higher layers".

However, Taschereau teaches an indication of which of a plurality of layers of geographical regions, a particular geographical region is located (See Pages 2-3, [0040]-[0049] Wherein Taschereau's geographical regions that encompass other geographical regions is equivalent to Applicant's an indication of which of a plurality of layers of geographical regions, a particular geographical region is located).

It would have been obvious to one having ordinary skill in the art at the time of the applicant's invention was made to combine Taschereau's teaching with Rieger and Kozak references by associating hierarchy of advertising zones with the hierarchy of geographical regions because both references are devoted to geographical information and advertising. The combined reference would have enabled Riger's advertisement system to advertise with hierarchical structure for further organizing advertising information with advertising zone structure such that the effectiveness of advertisement would have been enhanced.

As per claims 3, 8 and 14, the combined teaching of Taschereau, Kozak and Rieger references further teaches "defining an index that references each of the advertising

zones in the first layer that overlap each of the advertising zones in the second layer" (See Pages 2-3, [0036]-[0051] Wherein Taschereau's geodis is encompassed by geocnt, and they are indexed by ISO code values is equivalent to Applicant's index that references geographical regions that encompass other geographical regions).

As per claim 17, the combined teaching of Taschereau, Kozak and Rieger references further teaches "advertising zone data includes an indication of which of a plurality of layers of advertising zones, a particular advertising zone is located in" (See Rieger: col. 3, lines 16-17 and col. 4, lines 12-16 where advertising zone is created; Kozak: at col. 9, lines 54-60 where the road segment data may include or associate other data that include or refer to various attributes representing the segment; and Taschereau: Pages 2-3, [0036]-[0051] Wherein Taschereau's geodis is encompassed by geocnt, and they are indexed by ISO code values).

Response to Arguments

7. Applicant's arguments with respect to claims 1-17 and 28 have been considered but are moot on new grounds of rejection.

8. The prior art made of record

J. U.S. Patent No. 6,654,800

K. U.S. Patent No. 6,415,226

B. U.S. Publication 2004/0076279

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

A. U.S. Patent No. 6,414,602

C. U.S. Publication 2003/0026268

D. U.S. Publication 2004/0083133

E. U.S. Publication 2004/0110515

F. U.S. Publication 2003/0023489

G. U.S. Publication 2002/0147644

H. U.S. Publication 2001/0018340

I. U.S. Patent No. 5,664,948

Contact Information

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kuen S. Lu whose telephone number is 571-272-4114. The examiner can normally be reached on 8 AM to 5 PM, Monday through Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jean R. Homere, Esq. can be reached on (571) 272-3780. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR.
Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free).

Kuen S. Lu
Patent Examiner

November 9, 2005